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Appl. No. : 09/855,340
Applicant : Hostedⁿⁱ et al.
Filed : May 15, 2001
TC/AU : 1636
Examiner : Walter Schlapkohl
Docket No. : IN01164K US
Confirm No.: 9296

**Declaration by Dr. Thomas Hosted, Jr. and Dr. Ann C. Horan
Under 37 C.F.R. § 1.131**

We, Dr. Thomas Hosted, Jr. and Dr. Ann C. Horan, co-inventors of the above-referenced patent application, declare as follows:

1. The *Xis* gene polynucleotide was isolated and the nucleotide sequence of the gene was identified to be as set forth in SEQ ID NO: 2 before the January 12, 2000 priority date of U.S. patent application publication no. 2004/0101832 and U.S. patent no. 6,861,513.
2. Enclosed exhibit A is a true copy of a page from co-inventor Hosted's laboratory notebook showing the sequence data referred to in paragraph 1 (dates redacted). The nucleotide and amino acid sequence labeled "Xis like" is the *Xis* sequence.
3. The *M. carbonacea* attP/attB region was isolated and the nucleotide sequence of the region was identified to be as set forth in SEQ ID NO: 6 before the January 12, 2000 priority date of U.S. patent application publication no. 2004/0101832 and U.S. patent no. 6,861,513.
4. Enclosed exhibit B is a true copy of a page from co-inventor Hosted's laboratory notebook showing the sequence data referred to in paragraph 3 (dates redacted). The notebook page of exhibit B includes a comparison between two nucleotide sequences. The

bottom sequence, from nucleotides 188 to 434, is the attP/attB region of SEQ ID NO: 6.

5. All the above statements were made with the knowledge that willful false statements and the like are punishable by fine and/or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that any such willful false statement may jeopardize the validity of this application or any patent resulting therefrom.

Date: 3/2/2006

Thomas J. Hosted, Jr.
Thomas J. Hosted, Jr.

Date: 2/12/2006

Ann C. Horan
Ann C. Horan

EXHIBIT A

Interphase Region

XIS
like

— ५८५ —

ATTN: [unclear]

~~Invested~~
~~report~~
~~recovered~~

Integrate region A Work
(25.50 hrs)

Redo analysis on
potential att P regions

EXHIBIT B

30

Edge# custom (Avg) vs Edge# custom (Seqright)

1	CCCTCGTACTCTCGATCGCGGTNCGGATCTGCTGTACGGGGACCTGCCTGAGGAGGTCTGA	60
61	CGAGGGGATCCTCSCGGCGATCGAGGAGGCGATGGCCGCGTCCGGGCTGAGGACCTGGA	120
121	GGCGGAACCTCGACGAGGAGCTGACGGAGCTGTGGCCGACGACGATGATCAACTCTAGG	180
13	GGAGGGGTAGGGGAATCCACTCCGGAAGACGCCCGGAGCAATCCGAGCATGACGGAGCAA	72
181	GGAGGGGTAGGGGAATCCACTCCGGAAGACGCCCGGAGCAATCCGAGCATGACGGAGCAA	240
73	CCAGCAGGTCAAGTGGCTGTGACCCCTGACCAAGGCCCCGGTACGGTTCAATTCCC	300
241	CCAGCAGGTCAAGTGGCTGTGACCCCTGACCAAGGCCCCGGTACGGTTCAATTCCC	360
132	ATCAGTCACCCGTACACGAAAGCCCTCCACTCGGAGGGGGCTTCGGGCTTCTGAGG	420
301	ATCAGTCACCCGTACACGAAAGCCCTCCACTCGGAGGGGGCTTCGGGCTTCTGAGG	480
192	GTTCCGCGTCAGGCGGTGGGTCCGCGTGGGGGAATCGGCCCGTCCGCGGAGTGCC	540
361	GTTCCGCGTCAGGCGGTGGGTCCGCGTGGGGGAATCGGCCCGTCCGCGGAGTGCC	600
252	TGGCGTCCGGGAAGCGGTGGGTCCGCGTGGGGGAATCGGCCCGTCCGCGGAGTGCC	660
421	TGGCGTCCGGGAAGCGGTGGGTCCGCGTGGGGGAATCGGCCCGTCCGCGGAGTGCC	720
312	TGCTCCGAGCTCATGTTCAGTCAGTCAGCCGTTGCCGTTGGCGAGCTTACGTTCCGTG	780
481	TGCTCCGAGCTCATGTTCAGTCAGTCAGCCGTTGCCGTTGGCGAGCTTACGTTCCGTG	840
372	CCCTTGACGGTGATCGGTCGCGGACCGGGGTGTTGTGCAACAGCCAGCGCCGCTTCT	900
541	CCCTTGACGGTGATCGGTCGCGGACCGGGGTGTTGTGCAACAGCCAGCGCCGCTTCT	960
430	TGATCGAGACGTTGACGCGAGCGTGGCGAGCGTTGACGCTGCCCTGCTGCCCTCGGAC	1020
601	TGATCGAGACGTTGACGCGAGCGTGGCGAGCGTTGACGCTGCCCTGCTGCCCTCGGAC	1080
490	AGGGGGCGGGTGGATGAACTCGCGCGCCGAGGTGAGGGGCTCGCGTAGTCGATCTT	1140
661	AGGGGGCGGGTGGATGAACTCGCGCGCCGAGGTGAGGGGCTCGCGTAGTCGATCTT	1200
549	CGTCCGTTACCTCTCGGAGCCAGCTCCTCGAAGGTGTCAAAGACGCTCTTGCGTAGT	1260
608	TTCTCGGATGACCAACCATGTTCCGGTGGACGACGGCGTCTCTGTTGCCGAGGCTGAC	1320
668	GGGG	1380

PSF # 870-4 (See Notebook # 52810 pg 103)

B40 Potl edge carb 4
(8071 pot)

Hydrolytic Resistance to β -lactamase

* MWG + Seqright are the companies from which the sequencing data was obtained.